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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JAMES HINES,

11 Plaintiff,

No. CIV S-03-2385 GEB EFB P

12 vs.

13 NUCKLE, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a prisoner without counsel seeking relief for alleged civil rights violations.
17 *See* 42 U.S.C. § 1983. He requests an extension of time to file and serve a reply to defendants’
18 reply to plaintiff’s opposition to defendants’ December 1, 2006, motion for summary judgment.
19 *See* Fed. R. Civ. P. 6(b). A surreply is not authorized under the court’s briefing schedule. *See*
20 Local Rule 78-230(m). As of the filing of defendants’ reply on May 14, 2007, defendants’
21 motion for summary judgment was submitted. The court will not, therefore, accept further
22 briefing on this motion.

23 On May 2, 2007, plaintiff filed a motion to compel and a document styled as a “motion
24 for summary judgment to be held in abeyance” pending resolution of his motion to compel.
25 Plaintiff moves to compel the production of his deposition in its entirety, stating that he received
26 an incomplete copy of his deposition with defendants’ motion for summary judgment and,

1 because of this, he is denied an adequate opportunity to fully explore all information available.
2 Plaintiff is advised that, under the Local Rules of this court, “[p]ertinent *portions* of the
3 deposition intended to become part of the official record shall be submitted as exhibits in support
4 of a motion or otherwise.” *See* Local Rule 5-133j (emphasis added). Defendants are not
5 obligated to provide plaintiff with a personal copy of his deposition in its entirety. Plaintiff had
6 an opportunity to photocopy the transcript when it was produced for his inspection. *See* Fed. R.
7 Civ. P. 30(e). That he failed to do so at the time does not now provide him with a basis upon
8 which to compel defendants to produce a copy at their expense.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Plaintiff’s May 29, 2007, motion for an extension of time is denied;
11 2. Plaintiff’s May 2, 2007, motion to compel is denied; and
12 3. Plaintiff’s May 2, 2007, motion to hold the motion for summary judgment in abeyance
13 is denied.

14 Dated: July 2, 2007.

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16 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE